

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

47097-00958USPR

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 6,257,401 B1, granted July 10, 2001, and for which a reissue patent is sought on the invention entitled Vented Container with Handles and Embossment,

the specification of which

- ☐ is attached hereto.
- ☒ was filed on July 10, 2003, as reissue application number / and was amended on .
(if applicable)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

- ☐ by reason of a defective specification or drawing.
- ☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.
- ☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

Claim 7 of U.S. Patent No. 6,257,401 B1 claims a thermoplastic container comprising, *inter alia*, "a pair of opposing side walls and a pair of opposing end walls, said side walls and said end walls extending upward from said bottom, said end walls extending between said side walls." The specification indicates that the container can have "any desired shape, such as round, oval, square, etc., but is preferably rectangular." Column 4, lines 31-38. Claim 7 is considered deficient in that it unnecessarily limits the shape of the container to the preferred embodiment. This aspect of the claims has been broadened by the new and amended claims.

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REISSUE APPLICATION DECLARATION BY THE INVENTOR**D ck t Number (Opti nal)****47097-00958USPR**

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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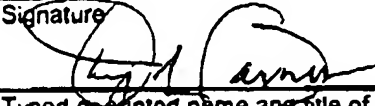
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REISSUE APPLICATION DECLARATION BY THE INVENTOR		D cket Number (Opti nal) 47097-00958USPR
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.		
Full name of sole or first inventor (given name, family name): Raj K. Mangla		
Inventor's signature	Date	
Residence: 101 Caversham Woods, Pittsford, New York 14534		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of second joint inventor (given name, family name): J. Scott Dellinger		
Inventor's signature	Date	
Residence: 1118 Johnson Dr. Apt. 3433, Buffalo Grove, Illinois 60089		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of third joint inventor (given name, family name): Mark A. Erickson		
Inventor's signature	Date	
Residence: 91 Stable Way, Lindenhurst, Illinois 60046		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of fourth joint inventor (given name, family name): Thomas J. Hayes		
Inventor's signature	Date	
Residence: 28223 W. Ridge Road, McHenry, Illinois 60050		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of fifth joint inventor (given name, family name): Suzanne R. Maslach		
Inventor's signature	Date	
Residence: 50 Sunset Blvd., Pittsford, New York 14534		
Mailing Address: same as Residence	Citizenship: U.S.A.	
Full name of sixth joint inventor (given name, family name): Mark E. Spencer		
Inventor's signature	Date	
Residence: 269 S. Ridge Drive, Gurnee, Illinois 60031		
Mailing Address: same as Residence	Citizenship: U.S.A.	
<input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.		

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REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number (Optional) 47097-009580SPR
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) <u>Raj K. Mangla, J. Scott Dellinger, Mark A. Erickson, Thomas J. Hayes, Suzanne R. Maslach, Mark E. Spencer</u>		
Patent Number 6,257,401 B1	Date Patent Issued July 10, 2001	
Title of Invention <u>VENTED CONTAINER WITH HANDLES AND EMBOSSEMENT</u>		
<p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b) (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee(s) owning an undivided interest in said original patent is/are <u>Pactiv Corporation</u> and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned)		
Signature 	Date 7/10/03	
Typed or printed name and title of person signing for assignee (if assigned) Jay S. Barnes Assistant Secretary		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Pactiv Corporation

Application No./Patent No.: 09/312,244/6,257,401 B1 Filed/Issue Date: May 14, 1999/July 10, 2001

Entitled: VENTED CONTAINER WITH HANDLES AND EMBOSSEMENT

Pactiv Corporation a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 009972 Frame 0507 or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
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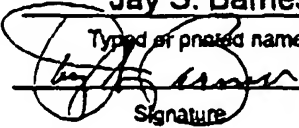
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7/9/03
Date
(847) 482-2424
Telephone number

Jay S. Barnes
Typed or printed name

Signature
Assistant Secretary
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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